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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/510,669	Applicant(s) ARAIZ ET AL.
	Examiner GERALD C. VIZVARY	Art Unit 3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

Status

- 1) Responsive to communication(s) filed on **18 February 2009**.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) **27-63** is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) **27-63** is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/US/02) | 6) <input type="checkbox"/> Other: _____ |
| Paper No(s)/Mail Date: _____ | |

DETAILED ACTION

Response to Amendment

1. In the amendment filed 2/18/2009, the following has occurred: Claims 27-63 are presented for examination.

Response to Arguments

2. In the remarks filed on 2/18/2009, Applicant argues that
 - (1) Sernet does not show or suggest that terms of a specific category belonging to different contracts are grouped together in a queue, which queue includes a sequence of items waiting in order for electronic action as defined in the present application.
 - (2) Ginter's queues include computerized tasks to be carried out in sequence, and are not sorted according to the nature of the required tasks with respect to transactions being carried out.

In response to (1), Sernet US 2002/0032632 A1 recites "In a preferred embodiment of the online trading system, the Bid/Offer input interface allows entry for a large number of terms typical of commodities contracts, such as stock type, quantity, price, shipping terms, delivery date, delivery location, payment terms, etc. The system allows preferences to be set for each user as to counterparties they are precluded or have precluded from dealing with." (Sernet US 2002/0032632 A1 ¶ [0013]) thereby allowing contracts to be grouped by category.

In response to (2) Ginter US 5,892,900 recites "As standardized physical containers have become essential to the shipping of physical goods around the world, allowing these physical containers to universally "fit" unloading equipment, efficiently use truck and train space, and accommodate known arrays of objects (for example, boxes) in an efficient manner, so VDE electronic content containers may, as provided by the present invention, be able to efficiently move electronic information content (such as commercially published properties, electronic currency and credit, and content audit information), and associated content control information, around the world." Ginter US 5,892,900, col. 34, lines 4-20) and ("This configurability and reconfigurability allows electronic commerce and data security participants to reflect their priorities and requirements through a process of iteratively shaping an evolving extended electronic agreement (electronic control model). This shaping can occur as content control information passes from one VDE participant to another and to the extent allowed by "in place" content control information. This process allows users of VDE to recast existing control information and/or add new control information as necessary (including the elimination of no longer required elements)." Ginter US 5,892,900, col. 16, lines 9-17), thereby showing sorting according to the nature of the tasks as well as user's requirements.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 27-47, 53 & 57-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sernet US 2002/0032632 A in view of Ginter US 5,892,900.

As per claim 27 (New), Sernet US 2002/0032632 A1 teaches a computerized commodity trading system comprising:

a computer network;
a first plurality of computers connected to said network;
a second plurality of computers, connected to said network for providing user access to a plurality of users to said commodity trading system via said computer network; and a database management system including at least one storage device ("Behind the internal firewall, the main application server for the system handles all of the substantive functionality for the system, including system administration, security, transaction management, and database (object) management. The application server is coupled to a database server which provides high-capacity storage for the requirements of the system." Sernet US 2002/0032632 A1 ¶ [0031]);
said first plurality of computers operative to communicate with said database management system and to provide the following functionality:

user management functionality operative to manage said plurality of users, groups of said plurality of users and relationships therebetween ("Referring to FIG. 4, the preferred technical architecture of the exemplary system is illustrated. Users connect to the system via their client (browser) computer access device which typically navigates through online pages via XML or HTML scripts." Sernet US 2002/0032632 A1 ¶ [0031]); and

said plurality of queues including at least two of the following:

a transaction queue comprising a list of transactions, each of said transactions including a definition of what stages need to be completed to complete said transaction and what action needs to be taken to complete each of said stages;

a storage queue comprising a list of orders that need to be stored;

a shipment queue comprising a list of orders that need to be shipped ("In a preferred embodiment of the online trading system, the Bid/Offer input interface allows entry for a large number of terms typical of commodities contracts, such as stock type, quantity, price, shipping terms, delivery date, delivery location, payment terms, etc." Sernet US 2002/0032632 A1 ¶ [0013]);

said query including a request for a transaction recommendation meeting a set of requirements comprising a 'buy or sell' parameter and at least one of a first set of parameters, said first set of parameters including:

a counterparty identifier;

a product identifier;

a quantity; and

a price;

notification handling functionality;

pricing chain building functionality including the following functionalities:

a user interface functionality operative to build a pricing chain ("In a preferred embodiment of the online trading system, the Bid/Offer input interface allows entry for a large number of terms typical of commodities contracts, such as stock type, quantity, price, shipping terms, delivery date, delivery location, payment terms, etc. The system allows preferences to be set for each user as to counterparties they are precluded or have precluded from dealing with. The Trading Summary interface includes a function to filter or to find best offers that are closest matches to a selected bid, and vice versa. Users can continue to submit bids, offers, and counters until a complete match of terms in the predetermined set of fields exists, then the system removes the matching transactions from the Trading Summary interface, and generates a notification to the parties and a final contract for the closed transaction." Sernet US 2002/0032632 A1 ¶ [0013]);

a pricing chain analysis functionality operative to analyze at least one pricing chain in a pricing chain library and to rank each of said at least one pricing chain relative to a specific transaction; and

data expiration handling functionality operative to manage data expirations based on a set of data expiration parameters which include at least one expiration period ("The online commodity trading system handles transactions in terms of traders, brokers, bids, offers, etc., and defines the relationships among them. Traders 102 can place

bids/offers, accept deals, etc., through Brokers 103. The Broker uses a data class named Operational Summary 101 (OpSummary) to store, track, and dispose of active postings." Sernet US 2002/0032632 A1 ¶ [0013]); and

said notification handling functionality being operative to generate a notification in response to a request from at least one of said price chain building functionality and said data expiration handling functionality. ("The Trading Summary interface includes a function to filter or to find best offers that are closest matches to a selected bid, and vice versa. Users can continue to submit bids, offers, and counters until a complete match of terms in the predetermined set of fields exists, then the system removes the matching transactions from the Trading Summary interface, and generates a notification to the parties and a final contract for the closed transaction." Sernet US 2002/0032632 A1 ¶ [0013])

Sernet US 2002/0032632 A1 fails to explicitly teach:

a currency exchange queue comprising a list of currency exchange tasks, each of said tasks including a currency amount to be exchanged and a currency for said currency amount to be exchanged into

a credit/debit note queue comprising a list of credit notes and debit notes; and
an invoice queue;

physical commodity transaction building functionality operative to generate at least one recommendation for a suitable transaction, responsive to a query from a user of said plurality of users

Art Unit: 3696

an update field functionality operative to update a specific field in all pricing chains in a pricing chain library;

a notification handler prompting functionality operative to prompt said notification handling functionality to obtain updates for stored price chain information; and

a sorting functionality

queue management functionality operative to manage a plurality of interrelated queues and to optimize business operation by at least one of the following functions:

batch processing to reduce workload;

amalgamating a first plurality of related shipping orders into a second plurality of related shipping orders, said second plurality of related shipping orders including fewer orders than said first plurality of related shipping orders, to reduce shipping cost; and exploiting timing factors in scheduling to reduce costs,

said queue management functionality including:

flexible business logic defining queue behavior rules, said rules including rules for resorting, reprioritizing, collating, and amalgamating items in each of said queues, and rules for providing notification of queue information between different ones of said queues, completion checking functionality;

queue update functionality operative to update said plurality of queues;

priority and status assignment functionality; dependency determination functionality; amalgamation functionality; and sorting functionality

Ginter US 5,892,900 teaches:

("Additional examples of negotiated elements are: electronic cash, purchase orders, purchase certificates (gift certificates, coupons), bidding and specifications, budget "rollbacks" and reconciliation, currency exchange rates, stock purchasing, and billing rates." Ginter US 5,892,900, col. 271, lines 36-41) and ("SPU 500 may also perform secure data management processes including governing usage of, auditing of, and where appropriate, payment for VDE objects 300 (through the use of prepayments, credits, real-time electronic debits from bank accounts and/or VDE node currency token deposit accounts). SPU 500 may perform other transactions related to such VDE objects 300." Ginter US 5,892,900, col. 64, lines 4-16) and ("These code pieces can be reused to optimize efficiency in creation and operation of trusted, distributed transaction management arrangements. VDE supports providing such executable code in the form of "atomic" load modules and associated data. Many such load modules are inherently configurable, aggregatable, portable, and extensible and singularly, or in combination (along with associated data), run as control methods under the VDE transaction operating environment." Ginter US 5,892,900, col. 25, lines 40-49) and ("The updating of property management files at each location of a VDE arrangement, to accommodate new or modified control information, is performed in the VDE secure subsystem and under the control of secure management file updating programs executed by the protected subsystem." Ginter US 5,892,900, col. 45, lines 63-67) and ("VDE can support "real" commerce in an electronic form that is the progressive creation of commercial relationships that form, over time, a network of interrelated agreements representing a value chain business model." Ginter US 5,892,900, col. 10, lines 33-35) and ("In

Art Unit: 3696

response to this message, the user/author registration system 3320 of the content system 3302A, and the user/author registration system 3338 of the clearinghouse system 3302B transmit requests for registration information to author 3306A using the network 3304. These requests may be made in an on-line interactive mode; or they may be transmitted in a batch to author 3306A who then completes the requested information and transmits it as a batch to the repository 3302; or some aspects may be handled on-line (such as basic identifying information) and other information may be exchanged in a batch mode." Ginter US 5,892,900, col. 309, line 61-col. 310, line 4) and ("The scalable transaction management/auditing technology of the present invention will result in more efficient and reliable interoperability amongst devices functioning in electronic commerce and/or data security environments. As standardized physical containers have become essential to the shipping of physical goods around the world, allowing these physical containers to universally "fit" unloading equipment, efficiently use truck and train space, and accommodate known arrays of objects (for example, boxes) in an efficient manner, so VDE electronic content containers may, as provided by the present invention, be able to efficiently move electronic information content (such as commercially published properties, electronic currency and credit, and content audit information), and associated content control information, around the world." Ginter US 5,892,900, col. 34, lines 4-20) and ("This configurability and reconfigurability allows electronic commerce and data security participants to reflect their priorities and requirements through a process of iteratively shaping an evolving extended electronic agreement (electronic control model). This shaping can occur as content control

information passes from one VDE participant to another and to the extent allowed by "in place" content control information. This process allows users of VDE to recast existing control information and/or add new control information as necessary (including the elimination of no longer required elements)." Ginter US 5,892,900, col. 16, lines 9-17) and (The exact structure of smart object 3000 is dependent upon the type of agent that is being controlled, the resources it will need for execution, and the types of information being retrieved." Ginter US 5,892,900, col. 266, lines 19-22)

As per claim 28 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 discloses a computerized commodity trading system according to claim 27 and wherein said first plurality of computers is also operative to also provide at least one of the following functionalities:

a transaction handling functionality operative to manage communication of offers and requests ("The online commodity trading system handles transactions in terms of traders, brokers, bids, offers, etc., and defines the relationships among them." Sernet US 2002/0032632 A1 ¶ [0027]);

a stock management functionality operative to track stock levels ("The Broker uses a data class named Operational Summary 101 (OpSummary) to store, track, and dispose of active postings." Sernet US 2002/0032632 A1 ¶ [0027]);

a contract handing functionality operative to manage and track contracts ("In a preferred embodiment of the online trading system, the Bid/Offer input interface allows entry for a large number of terms typical of commodities contracts, such as stock type, quantity,

price, shipping terms, delivery date, delivery location, payment terms, etc." Sernet US 2002/0032632 A1 ¶ [0013]);

a product catalog functionality operative to track various products available for orders; a shipment handling functionality operative to track shipments ("Whenever a deal is made, the system will automatically generate an invoice for the parties involved in the deal. The system prints out invoices for users charging them for use of the system. These invoices may be sent out weekly on or after the last day available for each shipment. A system administrator may change the invoice's amount and shipment date prior to mailing." Sernet US 2002/0032632 A1 ¶ [0082]); and

an accounting handling functionality including a general ledger for financial accounting. ("CT Administrators have access to several functions that enable them to maintain their corporate accounts within the system." Sernet US 2002/0032632 A1 ¶ [0030])

Sernet US 2002/0032632 A1 fails to explicitly teach a currency handling functionality operative to manage foreign currency exchanges and a credit and debit note handling functionality operative to manage issuance and fulfillment of credit and debit notes

Ginter US 5,892,900 teaches "SPU 500 may also perform secure data management processes including governing usage of, auditing of, and where appropriate, payment for VDE objects 300 (through the use of prepayments, credits, real-time electronic debits from bank accounts and/or VDE node currency token deposit accounts). SPU 500 may perform other transactions related to such VDE objects 300." Ginter US 5,892,900, col. 64, lines 4-16)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include currency exchange queue, credit/debit note queue, recommendation for a suitable transaction, update field functionality, queue management functionality, amalgamating related shipping orders, scheduling to reduce costs, flexible business logic defining queue behavior rules, reprioritizing, collating, priority and status assignment & dependency determination as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 29 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 further teaches that said query also includes a set of weightings provided by said user. ("The user has previously registered as an authorized user of the system and has designated the user's preferences for trading activity and use of the functions of the system. These preferences are loaded upon the user's logging on in order to customize the functionality of the system to the user's preference profile. These preferences include deal matching criteria preferences as well as notification condition preferences." Sernet US 2002/0032632 A1 ¶ [0032])

As per claim 30 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 further teaches that said query also includes a first set of weightings provided by said user and a second set of weightings provided by someone other than said user. ("support user interaction through: (a) "Pop-Up" applications which, for example, provide messages to users and enable users to take specific actions such as approving a transaction, (b) stand-alone VDE applications that provide administrative environments for user activities such as: end-user preference specifications for limiting the price per transaction, unit of time, and/or session, for accessing history information concerning previous transactions, for reviewing financial information such as budgets, expenditures (e.g. detailed and/or summary) and usage analysis information, and (c) VDE aware applications which, as a result of the use of a VDE API and/or a transaction management (for example, ROS based) programming language embeds VDE "awareness" into commercial or internal software (application programs, games, etc.) so that VDE user control information and services are seamlessly integrated into such software and can be directly accessed by a user since the underlying functionality has been integrated into the commercial software's native design." Ginter US 5,892,900, col. 26, lines 37-57)

As per claim 31 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 30.

Art Unit: 3696

Ginter US 5,892,900 further teaches that said physical commodity transaction building functionality includes a set of rules for determining relative importance attached to said first set of weightings and said second set of weightings. ("Usage maps can be analyzed to determine other patterns of usage for pricing such as, for example, quantity discounting after usage of a certain quantity of any or certain atomic units, or for enabling a user to reaccess an object for which the user previously paid for unlimited accesses (or unlimited accesses over a certain time duration). Other useful analyses might include discounting for a given atomic unit for a plurality of uses." Ginter US 5,892,900, col. 154, lines 5-13)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the second set of weightings and rules for determining relative importance as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 32 (New), Examiner notes that the recitation "said user is not aware of said second set of weightings" has not been given patentable weight because the intended use is not functionally related to the method steps. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of

patentability, see *In re Gulack*, 703 F. 2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F. 3d 1579, 32 USPQ 2d 1031 (Fed. Cir. 1994).

As per claim 33 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 further teaches that said query also comprises at least one of a second set of parameters, said second set of parameters including:

a present location of said product; and

a product attribute. ("In a preferred embodiment of the online trading system, the Bid/Offer input interface allows entry for a large number of terms typical of commodities contracts, such as stock type, quantity, price, shipping terms, delivery date, delivery location, payment terms, etc. The system allows preferences to be set for each user as to counterparties they are precluded or have precluded from dealing with." Sernet US 2002/0032632 A1 ¶ [0013])

As per claim 34 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 33.

Sernet US 2002/0032632 A1 further teaches that said at least one recommendation includes at least one of the parameters of said first set of parameters not included in said query. ("The system can also be modified to provide a wide range of enhanced trading management functions deemed desirable for the convenience or trading efficiency of users. A Boolean search function can be provided to allow the user to

narrow a list of bids or offers of interest by more than one parameters." Sernet US 2002/0032632 A1 ¶ [0085])

As per claim 35 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 33.

Sernet US 2002/0032632 A1 further teaches that said at least one recommendation includes all of the parameters of said first set of parameters not included in said query. ("An online trading system according to claim 7, wherein the Trading Summary interface displays a limited set of parameters for each bid and offer in columns corresponding to the parameters, and the filter is operated to filter bids and offers in accordance with a column parameter selected by the user." Sernet US 2002/0032632 A1 claim 8)

As per claim 36 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 33.

Sernet US 2002/0032632 A1 further teaches that said at least one recommendation includes at least one of said first set of parameters and at least one of said second set of parameters not included in said query. ("An online trading system according to claim 1, wherein the Trading Summary interface includes a filter for filtering out for display only those bids and offers which meet a given filter criterion." Sernet US 2002/0032632 A1 claim 7)

As per claim 37 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 33.

Sernet US 2002/0032632 A1 further teaches that said at least one recommendation includes all of said first set of parameters and at least one of said second set of parameters not included in said query. ("An online trading system according to claim 1, wherein the Trading Summary interface includes a filter for filtering out for display only those bids and offers which meet a given filter criterion." Sernet US 2002/0032632 A1 claim 7)

As per claim 38 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 33.

Sernet US 2002/0032632 A1 further teaches that said at least one recommendation includes all of said first set of parameters and all of said second set of parameters not included in said query. ("An online trading system according to claim 7, wherein the Trading Summary interface displays a limited set of parameters for each bid and offer in columns corresponding to the parameters, and the filter is operated to filter bids and offers in accordance with a column parameter selected by the user." Sernet US 2002/0032632 A1 claim 8)

As per claim 39 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches a said update field functionality is also operative to store an expiration date for said update. ("a field 930 specifying the length of the PERC, an expiration date/time field 932 specifying the expiration date and/or time for the PERC, a last modification date/time field 934 specifying the last date and/or time the PERC 808 was modified" (Ginter US 5,892,900, col. 154, lines 5-13)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include update field functionality is also operative to store an expiration date as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 40 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said notification handler prompting functionality is operative to prompt said notification handling functionality to obtain updates for stored price chain information which is about to expire or has expired. ("a field 930 specifying the length of the PERC, an expiration date/time field 932 specifying the expiration date and/or time for the PERC, a last modification date/time field 934 specifying the last date and/or time the PERC 808 was modified" Ginter US 5,892,900, col. 154, lines 5-13)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include functionality to obtain updates for stored price chain information which is

about to expire or has expired as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 41 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said pricing chain builder functionality is operative to build said pricing chain based on an existing pricing chain stored in the system. ("VDE allows electronic arrangements to be created involving two or more parties. These agreements can themselves comprise a collection of agreements between participants in a commercial value chain and/or a data security chain model for handling, auditing, reporting, and payment." Ginter US 5,892,900, col. 8, lines 20-24)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include building said pricing chain based on an existing pricing chain stored in the system as taught by as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 42 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches said set of data expiration parameters is a system-defined set of parameters. ("Secure database 610 stores two types of items: static and dynamic. Static data structures and other items are used for information that is essentially static information. This includes load modules 1100, PERCs 808, and many components of methods. These items are not updated frequently and contain expiration dates that can be used to prevent "old" copies of the information from being substituted for newly received items. These items may be encrypted with a site specific secure database file key when they are stored in the secure database 610, and then decrypted using that key when they are loaded into the SPE." Ginter US 5,892,900, col. 150, lines 4-14)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a set of data expiration parameters that is a system-defined set of parameters as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 43 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said set of data expiration parameters is a system-manager-defined set of parameters. ("Dynamic items are used to support secure items that must be updated frequently. The UDEs 1200 of many methods must be updated and written out of the SPE 503 after each use. Meters and budgets are common examples of this. Expiration dates cannot be used effectively to prevent substitution of the previous copy of a budget UDE 1200. To secure these frequently updated items, a transaction tag is generated and included in the encrypted item each time that item is updated. A list of all VDE item IDs and the current transaction tag for each item is maintained as part of the secure database 610." (Ginter US 5,892,900, col. 150, lines 14-26)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a set of data expiration parameters that is a system-manager-defined set of parameters. as taught by as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 44 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said set of data expiration parameters is a dynamically defined set of parameters. ("In the preferred embodiment, ROS 602

responds to an "event" by performing a process in response to the event. ROS 602 dynamically creates active processes and tasks in response to the occurrence of an event. For example, ROS 602 may create and begin executing one or more component assemblies 690 for performing a process or processes in response to occurrence of an event. The active processes and tasks may terminate once ROS 602 has responded to the event." Ginter US 5,892,900, col. 176, lines 32-38)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a set of data expiration parameters is a dynamically defined set of parameters as taught by as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 45 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said at least one expiration period includes a strict expiration period and an additional grace period ("However, even after the interval has expired and the billing and/or payment made, an encumbrance may still be outstanding and support later reconciliation." Ginter US 5,892,900, col. 292, lines 51-54)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include one expiration period which includes a strict expiration period and an

additional grace period as taught by as taught by Ginter US 5,892,900 in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 46 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 45.

Ginter US 5,892,900 teaches that the system is operative to automatically hold transactions based on data whose grace period has elapsed. ("Unresolved encumbrances are a good intermediate control for a VDE distribution process. A suitable "grace period" can be introduced during which encumbrances must be resolved. If this period elapses, an actual billing or payment may occur." Ginter US 5,892,900, col. 292, lines 47-51)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a system operative to automatically hold transactions based on data whose grace period has elapsed as taught by as taught by Ginter US 5,892,900in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 47 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 45.

Ginter US 5,892,900 teaches that the system is operative to automatically process said transactions based on data whose grace period has elapsed when said data whose grace period has elapsed has been updated. ("In this case, an auditor may allow a user to gain a credit, or a user may connect to a VDE node containing an encumbered budget, and resolve an amount as an internal credit." Ginter US 5,892,900, col. 292, lines 54-57)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a system operative to automatically hold transactions based on data whose grace period has elapsed as taught by as taught by Ginter US 5,892,900in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable

As per claim 53 (New), Sernet US 2002/0032632 A in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 52

Sernet US 2002/0032632 A1 teaches that said potential transaction generation functionality is operative to compute potential transactions based on historical data analysis, user specifications and a set of weightings. ("The Trading Summary Screen 302 displays all of the pending bids and offers being handled by the system, and may

be adjusted for alignment, sort order (order of display of entries), filtering (display of entries of selected type/value), layout, adding or removing postings, setting the attributes of a posting, showing the Bid/Offer History of a posting, and expanding to display the complete record of a Bid/Offer posting." Sernet US 2002/0032632 A1 ¶ [0029])

As per claim 57 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 teaches that said queue manager is operative to notify said notification handling functionality when a response to said notification is received. ("For example, instead of simply notifying a user when a close match exists separated by one primary term, the system could be modified to provide different stages of notification when a bid or offer is close to their bid or offer." Sernet US 2002/0032632 A1 ¶ [0084])

As per claim 58 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 57.

Sernet US 2002/0032632 A1 teaches that said notification handling functionality is operative to communicate with said at least one of said price chain building functionality and said data expiration handling functionality when said response to said notification is received. ("For example, instead of simply notifying a user when a close match exists separated by one primary term, the system could be modified to provide different stages

of notification when a bid or offer is close to their bid or offer." Sernet US 2002/0032632 A1 ¶ [0084])

As per claim 59 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 teaches that said transaction also comprises a life-cycle defining a time frame for completion of each of said stages. ("Quality: selection process. To select all the ports from a country or region, select the port option with the * after it. Example, Brazil.* selects all Brazilian ports. Shipment Date Specifies the time frame in which the sugar can (User selects a range of be shipped. A beginning and end date must be dates from drop down selected. Date range must have some time in lists) the future. Packing Specifies whether the sugar will be bagged or (Bags/Bulk) whether it will be transferred in bulk." Sernet US 2002/0032632 A1 ¶ [0087])

As per claim 60 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 teaches that each of said list of orders that need to be shipped comprises an amount of at least one specific product being traded. ("(User selects from a pre- populated list of countries) Quantity Specifies the amount of sugar being Waded. (User enters a number for tons of sugar) Tolerance Specifies the tolerance level for the quantity of (User selects from a list sugar being shipped." Sernet US 2002/0032632 A1 ¶ [0087])

As per claim 61 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 teaches that each of said list of orders that need to be stored comprises an amount of at least one specific product being traded. ("User selects from a pre-populated list of countries) Quantity Specifies the amount of sugar being Waded. (User enters a number for tons of sugar) Tolerance Specifies the tolerance level for the quantity of (User selects from a list sugar being shipped." Sernet US 2002/0032632 A1 ¶ [0087])

As per claim 62 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said currency exchange queue is also operative to update currency exchange rates at predetermined intervals. ("Additional examples of negotiated elements are: electronic cash, purchase orders, purchase certificates (gift certificates, coupons), bidding and specifications, budget "rollbacks" and reconciliation, currency exchange rates, stock purchasing, and billing rates." Ginter US 5,892,900, col. 271, lines 36-41)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a currency exchange queue also operative to update currency exchange rates as taught by as taught by Ginter US 5,892,900in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements,

and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable

As per claim 63 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Ginter US 5,892,900 teaches that said credit notes and debit notes are processed in first in, first out (FIFO) order. ("Channel header" 596 in the preferred embodiment is (or references) the data structure(s) and associated control program(s) that queues events from channel event sources, processes these events, and releases the appropriate tasks specified in the "channel detail record" for processing." Ginter US 5,892,900 col. 123 line 66-col. 124, line 3) Examiner notes that first in, first out (FIFO) order processing is old and well known and incorporating it as a process technique would yield predictable results.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a credit notes and debit notes processed in first in, first out (FIFO) order as taught by as taught by Ginter US 5,892,900in the system of Sernet US 2002/0032632 A1, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable

5. Claims 48-52 & 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 further in view of Cornelius US 6,629,081 B1.

As per claim 48 (New), Sernet US 2002/0032632 A in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A in view of Ginter US 5,892,900 fails to explicitly teach that said dependency determination functionality comprises checking dependencies of a new item submitted to said queue manager and generating new entries to the respective queues of said dependencies.

Cornelius US 6,629,081 B1 teaches "The fact that these components come from third-party software houses does not always guarantee their quality. In order to minimize the dependency of the final system on these components (thus reducing the impact of possible changes within the libraries), it is recommended that wrappers are written to enclose any third-party components. This way, if any changes are made to the internals of the components, only the wrappers would be affected, allowing the application and architecture code to remain unchanged." Cornelius US 6,629,081 B1 col. 124, lines 1-9) It would have been obvious to one of ordinary skill in the art at the time of the invention to include a checking dependencies of a new item submitted to said queue manager and generating new entries to the respective queues of said dependencies as taught by as taught by Cornelius US 6,629,081 B1 in the system of Sernet US 2002/0032632 A in view of Ginter US 5,892,900, since the claimed invention is merely a combination of old

elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable

As per claim 49 (New), Sernet US 2002/0032632 A in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that amalgamation functionality is operative to amalgamate multiple queue items into a single queue item.

Cornelius US 6,629,081 B1 teaches "What Other Utilities are Available with the Tool? Provide queue management and ability to prioritize. Provides a full featured on-line viewing system. Provides for the archival of reports in a compressed format first on disk, for a user specified time and then to tape or optical. Process reports in due-out-sequence." Cornelius US 6,629,081 B1 col. 148, lines 13-28)

As per claim 50 (New), Sernet US 2002/0032632 A in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27.

Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that said queue management functionality is operative to update said plurality of queues upon receipt of a signal from a source external to said commodity trading system.

Cornelius US 6,629,081 B1 teaches "What Other Utilities are Available with the Tool? Provide queue management and ability to prioritize. Provides a full featured on-line

viewing system. Provides for the archival of reports in a compressed format first on disk, for a user specified time and then to tape or optical. Process reports in due-out-sequence." Cornelius US 6,629,081 B1 col. 148, lines 13-28)

As per claim 51 (New), Sernet US 2002/0032632 A in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27. Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that said updating of said plurality of queues includes sorting functionality.

Cornelius US 6,629,081 B1 teaches "What Other Utilities are Available with the Tool? Provide queue management and ability to prioritize. Provides a full featured on-line viewing system. Provides for the archival of reports in a compressed format first on disk, for a user specified time and then to tape or optical. Process reports in due-out-sequence." Cornelius US 6,629,081 B1 col. 148, lines 13-28)

As per claim 52 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 27. Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that said physical commodity transaction building functionality comprises potential transaction generation functionality.

Cornelius US 6,629,081 B1 teaches "FIG. 17 is a flow diagram for initiation of a transaction between a buyer 1700 and seller 1702 using combined purchase order

proforma invoice submission. Numerals 1-8 set forth the order of the process." Cornelius US 6,629,081 B1 col. 19, lines 64-67)

As per claim 54 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 53.

Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that said potential transaction generation functionality is also operative to compute alternative potential transactions by adjusting said set of weightings.

Cornelius US 6,629,081 B1 teaches "In operation 1404, interested sellers are permitted to receive the bid forms online and view them and then, in operation 1406, are allowed to submit competitive bid offers. These bid offers are captured in operation 1408 and sent to the appropriate buyers." (Cornelius US 6,629,081 B1 col. 19, lines 14-18)

As per claim 55 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 53.

Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that said potential transaction generation functionality also comprises trend computation functionality.

Cornelius US 6,629,081 B1 teaches "The user must present their card to receive the discount. Jewel obtains valuable user profile attributes such as purchase history and trends while the customer receives tangible discounts. The same analogy can be

applied to the explicit information capture techniques used by the personalized site."
Cornelius US 6,629,081 B1 col. 189, lines 59-65)

As per claim 56 (New), Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 teaches a computerized commodity trading system according to claim 53.

Sernet US 2002/0032632 A1 in view of Ginter US 5,892,900 fails to explicitly teach that said potential transaction generation functionality also comprises normalization functionality.

Cornelius US 6,629,081 B1 teaches "Integration with marketing databases--To be more than a novelty, personalization will require tight integration with marketing databases. This presents a serious integration challenge, and may necessitate the creation of an enterprise wide strategy for the collection, normalization and analysis of customer data."

Cornelius US 6,629,081 B1 col. 183, lines 14-19)

6. It would have been obvious to one of ordinary skill in the art at the time of the invention to include an amalgamation functionality, queue management functionality, sorting functionality, a potential transaction generation functionality, potential transaction generation functionality operative to compute alternative potential transactions by adjusting said set of weightings, a trend computation functionality & a normalization functionality as taught by Cornelius US 6,629,081 B1 in the system of Sernet US 2002/0032632 A in view of Ginter US 5,892,900, since the claimed invention is merely a combination of old elements, and in the combination each element merely

would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable

Conclusion

7. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald C. Vizvary whose telephone number is 571-270-3268. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ella Colbert can be reached on 571-272-6741. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4268.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/THOMAS A DIXON/
Supervisory Patent Examiner, Art Unit 3696

Gerald Vizvary
Patent Examiner, A.U. 3696
June 7, 2009